

**SECTIONS OF THE LAST CONFESSION ALLEGED TO INFRINGE SECTIONS OF
IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

Explanation of the following chart:

On June 22, 2007, Poetic Products sent to Crane a letter containing allegations of infringement of *In God's Name* by *The Last Confession*. (See Crane Decl. Ex. A.) The following chart has three columns. The left-hand column contains the dialogue from *The Last Confession* that allegedly infringes *In God's Name* as per the June 22, 2007 letter. The right-hand column contains the language from *In God's Name* that was allegedly infringed by *The Last Confession* dialogue from the left-hand column. The middle column contains examples of other books or articles where this same information can be found.

The other sources that are cited in the chart's middle column include the following:

- *The Making of the Popes* - 1978, by Andrew Greeley, copyright 1979
- *The Year of the Three Popes*, by Peter Hebblethwaite, copyright 1979
- *The Papacy Today*, by Francis X. Murphy, copyright 1981
- *Pontiff*, by Gordon Thomas and Max Morgan-Witts, copyright 1983
- *A Thief in the Night*, by John Cornwell, copyright 1989
- *Inside the Vatican*, by George Bull, copyright 1982
- *The Decline and Fall of the Roman Church*, by Malachi Martin, copyright 1981
- *The Final Conclave*, by Malachi Martin, copyright 1977
- *The Inner Elite*, by Gary MacElin, copyright 1978
- *Illustriissimi*, by Cardinal Luciani, copyright 1978
- *His Holiness*, by Carl Bernstein and Marco Politi, copyright 1996

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ALLEGEDLY INFRINGING PASSAGES OF <i>THE LAST CONFESSION</i> © 1997	PUBLIC DOMAIN FACT SOURCES	ALLEGEDLY INFRINGED PASSAGES OF <i>IN GOD'S NAME</i> © 1984
<p><i>Page 11</i></p> <p>BENELLI: Albino, it's good to see you. I enjoyed your book.</p> <p>LUCIANI: You did? Thank you. It was just some letters.</p> <p>BENELLI: Yes (Smiling.) but to Mark Twain, Jules Verne...very illustrious. What brings you to Rome?</p>	<p>Illustrissimi, by Cardinal Luciani (The book of letters written by Cardinal Luciani and read by Mr. Crane.)</p> <p style="text-align: center;">* * *</p> <p>The Year of Three Popes, by Peter Hebblethwaite, Copyright 1979 ("Three Popes"), p. 107.</p> <p>Also "It was partly to relieve his frustrations that he began to write <i>Illustrissimi</i>, a series of letters to authors or characters in history or fiction."</p> <p style="text-align: center;">* * *</p> <p>The Making Of The Popes - 1978, by Andrew Greely, Copyright 1979 ("Popes 1978") p. 162.</p> <p>"He quoted nineteenth – century Roman romantic poetry as well as Jules Verne, Mark Twain, Napoleon and St. Bernard."</p> <p style="text-align: center;">* * *</p> <p>The Papacy Today, by Francis X. Murphy, Copyright 1981, p. 166.</p> <p>"Addressing himself to Charles Dickens and Mark Twain . . . Luciani displayed a grasp of world literature . . ."</p>	<p><i>Pages 48-49</i></p> <p>Eventually a collection of the letters was published in book form, <i>Illustrissimi</i> – the most illustrious ones.</p> <p>The book is a delight. Apart from providing an invaluable insight into the mind of Albino Luciani, each letter comments on aspects of modern life..... Chesterton and Walter Scott receive a letter from the Patriarch, as do Goethe, Alessandro Manzoni, Marlowe and many others. There is even one addressed to Christ which begins in typical Luciani fashion.</p> <p>Dear Jesus,</p> <p>I have been criticized. 'He's a Bishop, he's a Cardinal,' people have said, 'he's been writing letters to all kinds of people: to Mark Twain, to Peguy, to Casella, to Penelope, to Dickens, to Marlowe, to Goldoni and heaven knows how many others. And not a line to Jesus Christ!</p> <p><i>Page 148</i></p> <p>He quoted Mark Twain, Jules Verne and the Italian poet Trilussa. He talked of Pinocchio. Having already compared the soul to a car he now drew an analogy.</p>

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<p><i>Page 12</i></p> <p>Luciani: My parishioners wanted me to have my own boat and gondolier. Can you imagine a private boat just waiting for me?</p> <p>Benelli: I've seen your car. You could do with a boat... What do you do when you need one?</p> <p>Luciani: Call the fire brigade. They lend me one of theirs.</p> <p>Benelli: And if there is a fire?</p> <p>Luciani: (smiling.) Sometimes even God has to wait.....</p>	<p>The Economist, September, 1978.</p> <p>"The new pope [Luciani] is also a man of considerable personal austerity. When he became Patriarch of Vinici his first act was to dispense with the traditionally lavish and colorful 'entry by water' . . ."</p> <p style="text-align: center;">* * *</p> <p>Also, <i>In God's Name</i> refers to many different modes of transportation used by Luciani only one of which was a fire boat. It also does not refer to a car which <i>The Last Confession</i> does.</p>	<p><i>Page 25</i></p> <p>It was customary for the Patriarch of Venice to have his own boat. Luciani had neither the personal wealth nor the inclination for what seemed to him an unnecessary extravagance. When he wanted to move through the canals he and Father Mario would catch a water bus. If it was an urgent appointment Luciani would telephone the local fire brigade, the carabinieri or the finance police and beg in the loan of one of their boats. Eventually the three organizations worked out a roster to oblige the unusual priest.</p>

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<p><i>Page 12</i></p> <p>Lucani: When the Pope sent me to Venice the churches were empty but the streets were filled with prostitutes, with the mentally ill, with the handicapped. The City had shut its doors. I opened mine. Many priests objected to giving.</p> <p><i>Page 13</i></p> <p>Communion to the prostitutes and handicapped. These creatures do not understand, they said. So after mass I asked a young girl who was afflicted with a terrible spinal disease if she knew what she had received. She said, "Yes:Jesus." I will not abandon them.</p>	<p>Three Popes, pp. 106-7.</p> <p>"In addition to all these difficulties during his time in Venice was the distressing knowledge that there were 107 churches in the city proper, half of which were closed, that those that were open were frequented mostly by tourists and, estimable old ladies . . ."</p>	<p><i>Page 27</i></p> <p>The offices of the Patriarch were frequently filled with ex-prisoners, alcoholics, poor people, abandoned people, tramps, women who could no longer work as prostitutes. One such unfortunate still wears the pyjamas Luciani gave him and writes 'thank you' letters to a man no longer here to read them.....</p> <p><i>Pages 27-28</i></p> <p>One of the injustices that Luciani continuously worked to eliminate in Venice concerned a widely prevalent attitude towards the subnormal and the handicapped. Not only the mayor and city officials showed indifference, but Luciani found the same prejudice among some of his parish priests. When he went to give First Communion to a large group of handicapped people at St Pius X in Marghera he had to cope with a delegation of protesting priests who argued that he should not do such a thing. 'These creatures do not understand.' He instructed the group that he was personally ordering them to attend the First Communion. After the Mass he picked up a young girl suffering from spinal bifida. The congregation was completely silent.</p> <p>'Do you know whom you have received today?' he asked the little girl.</p> <p>'Yes. Jesus.'</p> <p>'And are you pleased?'</p> <p>'Very.'</p> <p>Luciani turned slowly and looked at the group of protesting priests.</p> <p>'You see, they are better than we adults.'</p>

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<p>Pages 12, 14, 16, 17, 18, 19</p> <p>LUCIANI: I need help. Bishop Marcinkus is selling the Catholic Bank of Venice.</p> <p>BENELLI: Yes, I know. for less than it's worth.....</p> <p>BENELLI: [to VILLOT] He is selling if for far less that it is worth. Why?</p> <p>VILLOT: (Dismissively.) He's an American...from Chicago....</p> <p>BENELLI: Cicero to be precise. The home of the gangster, Al Capone.</p> <p>MARCINKUS: Calvi has the complete confidence of myself ... and of course His Holiness.</p> <p>MARCINKUS: I am accountable only to the Pope and to God.</p> <p>PAUL: (To Bennelli.) It seems to be necessary. Is Luciani upset?</p> <p>BENELLI: Yes.</p> <p>PAUL: He is a good man. He understands that sometimes it is necessary to sacrifice...</p> <p>PAUL: (to BENELLI) Bishop Marcinkus has our complete confidence...In financial matters.</p>	<p>A Thief In The Night ("Night"), pp. 207-208, by John Cornwell.</p> <p>"A couple of years before Luciani became Pope, the Banca Ambrosiano was trying to take over the Banca Cattolica of the Veneto. It was funded by the Catholic associations in which the Church had great interest. At a certain point it was transferred to Banca Ambrosiano by Marcinkus. Luciani came to Rome as patriarch of Venice to discuss the matter with Paul VI, but he was sent over to Marcinkus to see what could be done to stop it. Marcinkus saw him and told him, quite crudely, that the patriarch of Venice should be concerned with his people and not with banking."</p> <p style="text-align: center;">* * *</p> <p>Night, page 21.</p> <p>"The golf-playing prelate from Al Capone's backyard, Cicero near Chicago."</p> <p style="text-align: center;">* * *</p> <p>Night, p. 81.</p> <p>"You read these books about me [Marcinkus] and you get the impression I was raised by Al Capone in the streets. That's because of Cicero, see."</p> <p style="text-align: center;">* * *</p> <p>Night, p. 18, (see also, pages 168-176 discussion of FBI visit to and meeting with Marcinkus about bond fraud).</p> <p>"One year into his [Marcinkus] presidency of the bank, he was allegedly embodied in a billion - dollar counterfeit bond fraud."</p> <p style="text-align: center;">* * *</p> <p>Night, pp. 17-18.</p> <p>"In a class and faction of his own was Chicago-born Archbishop Marcinkus, the powerful head of the Vatican Bank who had managed to outflank Benelli</p>	<p>Pages 28/32</p> <p>Because of the reluctance of the City Council to contribute to Special Work Centres, Luciani was obliged initially to rely on diocesan funds and the bank known as 'the priests' bank', Banca Cattolica del Veneto. Soon after he had been made a Cardinal he became aware that it was no longer the priests' bank. Joining the regular crowd in his outer office who required help, he now found bishops, monsignors and priests. In the past the bank had always loaned money to the clergy at low interest rates. It was a bank founded for the diocese which had previously contributed to the vital work for that section of society which Luciani described in the following words:</p> <p>'They have no political weight. They cannot be counted on for votes. For those reasons we must show our sense of honour as men and Christians towards these handicapped people.'</p> <p>By mid-1972 the low interest loans had stopped. The Venetian clergy were advised that in future they would have to pay the full rate of interest no matter how laudable the work. The priests complained to their bishops. The bishops made a number of discreet enquiries.</p> <p>Since 1946 the Istituto per le Opere di Religione, the IOR, usually referred to as the Vatican Bank, had held a majority share in Banca Cattolica del Veneto. The various dioceses in the Veneto region also had small shareholdings in the bank amounting to less than 5 per cent of the bank's share.</p> <p>In the normal commercial world this would make the minority shareholder vulnerable, but this was not the normal commercial world. A clear understanding existed between Venice and the Vatican that the IOR's vast shareholding (by 1972 it was 51 per cent) was an insurance against any potential takeover by a third party. Despite the very low interest rates charged to the Veneto clergy the bank was one of the wealthiest in the country. Where the priest banks the parishioner will follow. (A significant amount of the bank's wealth was derived from real estate holdings in Northern Italy.) This happy arrangement had now been abruptly terminated. The bank that the bishops believed they owned, at least morally, had been sold over their heads without reference to the Patriarch or any person in the Veneto region. The man who had done the selling was Vatican Bank President, Paul Marcinkus. The man who had done the buying was Roberto Calvi, of Banco Ambrosiano, Milan.</p> <p>The bishops of the region descended en masse on the Patriarch's office in St Mark's Square. He listened quietly as they outlined what had happened. They told him how in</p>

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	<p>and establish a direct reporting line to Paul VI.”</p> <p>Night p.170. (Emphasis added).</p> <p>“Cardinal Benelli . . . disliked Marcinkus. <u>Marcinkus you see, had a lot of independence as director of the Vatican Bank and had direct access to the Pope.</u> Cardinal Benelli was vicious, he was tough, he was ambitious; he wanted to be pope, he wanted control of the Vatican. He was like the chief executive officer, the shaker and the mover, and <u>this Marcinkus . . . had a straight reporting line to the Pope.</u>”</p> <p style="text-align: center;">* * *</p> <p>Pontiff, p. 139, 233.</p> <p>“Paul Marcinkus, the prelate his staff calls “il gorilla”.</p> <p>“The first concerns the possibility that the U.S. Justice Department might make public its far highly secret report on investigations in 1973 into organized crime. The Justice Department agents have uncovered a plot by the mafia to use European businessmen to borrow vast sums of money against counterfeit stocks and bonds of American corporations. The investigators privately interviewed Marcinkus in his office in the Vatican . . . Marcinkus’s answers had so far remained a secret of the Justice Department.</p> <p style="text-align: center;">* * *</p> <p>Night, p. 66. (Emphasis added):</p> <p>“In 1972, in the first major scandal which came to be known as the counterfeit bonds case [Marcinkus], was accused of having placed many millions of dollars worth of stolen and counterfeit securities in the Vatican vaults in a mafia conspiracy that stretched from New York to Zurich. <u>It was in the course of this imbroglio that Marcinkus first crossed swords with Benelli.</u>”</p>	<p>the past when they had wished to raise capital they had turned to the Vatican Bank who had loaned money, holding their shares in Banca Cattolica as security. Now these shares, along with a large stake independently acquired by the Vatican Bank, had been sold at a huge profit to Calvi.</p> <p>The enraged bishops pointed out to Luciani that had they been given the opportunity they could have raised the necessary money to repay the Vatican Bank and thereby re-acquire their shares. What was more pertinent in their eyes was the appalling breach of trust perpetrated by Marcinkus, acting on behalf of the Vatican that claimed to be the moral leader in the world; he had at the very least displayed a total lack of morals. The fact that he had kept the entire profit on the transaction for the Vatican Bank may also have caused some of their anger.</p> <p>The bishops urged Luciani to go directly to Rome. They wanted Papal intervention. If that intervention took the form of firing Paul Marcinkus it was clear that in the Veneto region at least, not many tears would be shed. Luciani calmly weighed the problem. Ever a prudent man, he considered he needed more facts before laying such a problem before Pope Paul.</p> <p>Luciani began to probe quietly. He learned a great deal about Roberto Calvi and also about a man named Michele Sindona. What he learned appalled him. It also alerted him to the dangers of complaining directly to the Pope. Based on the information he had obtained it was clear that Calvi and Sindona were highly favoured sons of the church and were held in great esteem by Paul VI. The man Albino Luciani turned to was one who had become a close friend over the previous five years, Under-Secretary of State Monsignor Giovanni Benelli.</p> <p>Though Benelli was number two in the Secretariat of State under Cardinal Villot, to all intents and purposes he ran the department. And as Pope Paul’s troubleshooter Benelli not only knew where all the bodies were buried - he was responsible for the placement of quite a number of them Benelli listened while the Patriarch of Venice told his story. When he had finished the Monsignor gave his Eminence another cup of coffee as Luciani uttered a qualification.</p> <p>‘I have not of course seen any documentary evidence.’</p> <p>‘I have,’ responded Benelli. ‘Calvi is now the majority shareholder in the Banca Cattolica del Veneto. Marcinkus sold him 37 per cent on March 30th,</p> <p>Benelli was a man who enjoyed reeling out facts and figures. He told the wide-eyed</p>

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		<p>Luciani that Calvi had paid 27 billion lire (approximately \$45 million) to Marcinkus; how the sale was the result of a scheme hatched jointly by Calvi, Sindona and Marcinkus, of a company called Pacchetti which had been purchased by Calvi from Sindona after its price had been grossly and criminally inflated on the Milan stock exchange, of how Marcinkus had assisted Calvi in masking the nature of this and other operations from the eyes of Bank of Italy officials by putting the Vatican bank facilities at the disposal of Calvi and Sindona.</p> <p>Luciani was bewildered. 'What does all this mean?' he asked.</p> <p>'Tax evasion, illegal movement of shares. I also believe that Marcinkus sold the shares in your Venice bank at a deliberately low price and Calvi paid the balance, a separate 31 billion lire deal on Credito Varesino.'</p> <p>Luciani became angry. 'What has all this to do with the Church of the poor? In the name of God . . .'</p> <p>Benelli held up a hand to silence him. 'No, Albino, in the name of profit.'</p> <p>'Does the Holy Father know these things?'</p> <p>Benelli nodded.</p> <p>'So?'</p> <p>'So you must remember who put Paul Marcinkus in charge of our bank.'</p> <p>'The Holy Father.'</p> <p>'Precisely. And I must confess I fully approved. I've had cause to regret that many times.'</p> <p>'Then what are we to do? What am I to tell my priests and bishops?'</p> <p>'You must tell them to be patient, to wait. Eventually Marcinkus will over-reach himself. His Achilles heel is his greed for Papal praise.'</p> <p>'But what does he want to do with all this money?'</p>

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		<p>‘He wants to make more money.’</p> <p>‘For what purpose?’</p> <p>‘To make more money.’</p> <p>And in the meantime should my priests get out begging bowls and tramp through the Veneto?’</p> <p>‘In the meantime you must counsel patience. I know you have it. Teach it to your priests. I’m having to apply it.’</p> <p>Albino Luciani returned to Venice and called his fellow bishops to his office. He told them some of what had transpired in Rome, enough to make it abundantly clear that the Banca Cattolica was now for ever lost to the diocese. Later some of them talked about it. They concluded that this would never have happened in the days of Cardinal Urbani. They felt that Luciani’s innate goodness had proved a useless weapon against the IOR. Most of them, including Luciani, sold what remaining shares they held in the bank to express their disapproval of the Vatican’s conduct. In Milan Roberto Calvi was gratified to note that his brokers had acquired on his behalf another small piece of the priests’ bank in Venice.</p> <p>Albino Luciani and many others in Venice closed their accounts at the Banca Cattolica. For the Patriarch of Venice to move the official diocesan accounts to the small Banco San Marco was an extraordinary step. He confided to one colleague, ‘Calvi’s money is tainted. The man is tainted. After what I have learned of Roberto Calvi I would not leave the accounts in his bank if the loans they granted to the diocese were totally free of interest.’</p> <p>Luciani then attempted to get the directors of Banca Cattolica to change the name of the bank. He insisted that for the word Catholic to appear in their title was an outrage and a libel on all Catholics.</p> <p>In Rome Pope Paul VI was made fully aware of the added burden that had been placed on the Veneto region by the sale of the Banca Cattolica. Giovanni Benelli urged the Holy Father to intervene but by then the sale to Calvi was already a reality. When Benelli argued for the removal of Marcinkus the Pope responded with an agonized helpless shrug of the shoulders but the fact that Luciani had not led an open rebellion left a deep impression on Paul. At the slightest opportunity he would proclaim the goodness of the man he had appointed Patriarch of Venice. In an audience with Venetian priest Mario</p>

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		<p>Ferrarese he declared three times, 'Tell the priests of Venice that they should love their Patriarch because he is a good, holy, wise, learned man.'</p> <p>In September 1972, Pope Paul stayed at the Patriarch's Palace on his way to a Eucharistic Congress in Udine. In a packed St Mark's Square the Pope removed his stole and placed it over the shoulders of a blushing Luciani. The crowd went wild. Paul was not a man to make insignificant public gestures.</p> <p><i>Page 32</i></p> <p>When the two men were being served coffee in the Palace he made a more private one. He indicated to Luciani that 'the little local difficulty over finance' had reached his ears. He had also heard that Luciani was trying to raise money for the creation of a work centre for the sub-normal at Marghera. He told Luciani how much he approved of such work and said that he would like to make a personal donation. Between Italians, that most voluble of races, much is often unsaid but understood.</p> <p><i>Page 37.</i></p> <p>While the previous day's meeting had been largely of an informal nature, this confrontation with Marcinkus was an interrogation. On the evidence that the US Department of Justice had carefully and painstakingly acquired over more than two years, Lynch and Aronwald and FBI agents Biamonte and Tammaro had before them the man who had master-minded one of the world's greatest swindles. If the evidence was correct then the Chicago suburb of Cicero's claim for world notoriety would in future be shared by Al Capone and Paul Marcinkus. But as Mrs Beeton observed, 'first catch your hare'</p> <p><i>Page 291</i></p> <p>Marcinkus brought many facets to his work in the Vatican Bank; not least were elements of his early childhood in Al Capone's Cicero. 'How are your gangster friends in Chicago, Paul?' was a running joke in the early 1970s. It was heard less after Sindona's trial. It is not heard at all after the Calvi debacle.</p> <p><i>Page 39</i></p> <p>the things that makes my position completely unique is that I am answerable only to the Pope as to how I handle those financial affairs.</p>

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		<p><i>Page 174</i></p> <p>I am answerable to no one except Rome and God.' Events were to prove that Cody declined to be answerable to Rome. That left God.</p> <p><i>Page 290</i></p> <p>In March 1982, Archbishop Marcinkus granted a rare interview. It was given to the Italian weekly Panorama. His comments about Roberto Calvi are particularly illuminating, coming as they did just eight months after Calvi had been fined 13.7 million dollars and sentenced to four years' imprisonment, and only seven months after the Vatican and Marcinkus discovered (if we believe the Vatican version) that Calvi had stolen over a billion dollars and left the Vatican to pay the bill.</p> <p>Calvi merits our trust. This I have no reason to doubt. We have no intention of ceding the Banco Ambrosiano shares in our possession: and furthermore, we have other investments in this group, for example in the Banca Cattolica, which are going very well.</p>

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Page 19

PAUL: (To BENELLI) We have been discussing the status of the new Code of Church Law with Cardinal Felici. The ever-changing, never-finished Church Law. (To FELICI) It is a canon of law, not the Sistine Chapel. When will you be done?

FELICI: These things take time.

BENELLI: Ten years!

The Inner Elite, pp. 200-202. (Emphasis added)

"In the light of his education and life experience, it is not surprising that Felici should be a legalist. What is surprising to some is that his commitment to his own notion of what the law should be overrides the clearly expressed instructions of Vatican II and of the first Synod of Bishops of 1967. On the need for reform of the canon law, there had emerged a clear consensus at the Council. Collections of church laws had been made at various times in the past, the most famous being the sixteenth century *Corpus Iuris Canonici*, but the only attempt at scientific codification in the church's history was the Code of Canon Law ordered by Pius X in 1904 and promulgated by Benedict IV in May 1917, to come into effect a year later. Drafted by a small group of canonists working in a legalistic atmosphere and within the emotional pressures for centralization that followed Vatican Council I and the self-imposed prison of the popes within the walls of the Vatican, it sought to realize the ideal of nineteenth-century jurisprudence, the formulation—in an apparently complete and perfect system—of interlocking, abstract rules. It would reduce the judge's function to selecting the right rule to apply to any problem presented to him. The signs of the times had no meaning for these jurists. They thought of the worldwide church as still European, of the increasingly urban, industrialized and mobile society as still static, of the laity—often more informed than their priests—as still unlettered. Still worse, its spirit tended to subordinate theology and even the Scriptures to law, so that the Code became the primary rule of Christian belief and practice."

"Pope John, in the same 1959 speech in which he announced he was going to convene an ecumenical council, said he also intended to reform the Code. But, he added, the Council would have to come first, so that revision of the Code could take account of the Council's decisions. In March 1963, shortly before he died, John named a commission of cardinals to undertake the task, but action was slow until Felici was named head of an expanded commission in early 1967. In a few months, several hundred of the Code's 2,414 canons were rewritten. The result, however, was to make clear that the issues could not be dealt with by cosmetic approaches. An interim report submitted by Felici to the Synod of Bishops held in October 1967 showed a substantial majority of the prelates opposed to Felici's concept of a strictly legal formulation of ironclad rules, seeking instead to reduce law in the church to a rule of faith and morals based on the person and teachings of Christ."

"What they did approve was Felici's proposal to distinguish clearly the legislative, administrative, and judicial functions of church power, and also the organs charged with administering each of these functions. This

Page 165

Luciani laughed. He liked Pericle Felici. Curial to his finger-tips, traditional in his thinking, he was nevertheless a witty, sophisticated man of considerable culture. 'Eminence, the revision of Canon Law that has preoccupied so much of your time, did the Holy Father envisage a change in the Church's position on Freemasonry?'

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

principle, established in civil society by American and French revolutions, is unknown to the church. It continues to combine the three powers at all levels from the Vatican to the rural parish, clinging to medieval practice in which the king both made the laws and administered justice.”

“The Synod lacked not only decision-making powers but even established rules of procedure. Although it indicated clearly the thinking of the bishops from around the world, all it could do was return the report to Felici and hope he would act to implement their expressed wishes. But Felici resists the advice of bishops. While he must formally accept the concept of collegial rule of the church by the bishops, headed by the pope, he expressed very clearly his minimalist view of collegiality in an article he published in the *Osservatore Romano* in July 1969, an article designed to influence the discussion of that subject scheduled for the second Synod of Bishops some months later. Also in the *Osservatore* and during that same year, he criticized Cardinal Leo Jozef Suenens harshly for urging the practical implementation in church structures of the collegiality affirmed by Vatican II. ‘Invoking a logic presumed to be conciliar and in virtue of a collegiality that the Council had never understood in that sense,’ he wrote, ‘some—not content to criticize the pope’s work—seem to wish to submit his activity as primate and supreme master of the church to the control or the approval of the bishops.’”

“In the years that followed, Felici continued to redraft and try to persuade the bishops to accept what he now calls a *lex fundamentalis*, a fundamental law that would be the church’s constitution, with maximum stability, superior to all other positive church laws, and valid for all Catholic churches, not just the Latin church. He told the 1974 Synod of Bishops that a poll taken among Catholic bishops had shown a slight margin in favor of this project, without revealing that fewer than half of all bishops had been polled. One analyst of the document has said that it implies that cardinals are part of the ‘divine constitution’ of the church; that its concept of church-world relations reflects that contained in the fascist concordat between Italy and the Holy See; and that if it comes into effect, Vatican II will have died and the Sacred Scripture will have been exiled.”

**SECTIONS OF THE LAST CONFESSION ALLEGED TO INFRINGE SECTIONS OF
IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p><i>Page 21</i></p> <p>OTTAVIANI: Is he going to resign when he turns eighty? Of course not. How dare he decree that cardinals over eighty cannot vote at the next conclave!</p>	<p>Three Popes, p. 43, see also, p. 75.</p> <p>"The successive measures by which Pope Paul has recommended diocesan bishops and curial cardinals to retire at 75, and excluded cardinals over eighty from the conclave were taken at a time when he might reasonably have thought that he would not reach the fatal age. And when he lived on, he was forced with a dilemma which some of the over-eighties did not hesitate to put to him. Cardinal Alfredo Ottaviani, for instance . . . who was still alive at 89, had inquired why if Cardinals over eighty were thought incapable of electing a pope, a pope over eighty was considered capable of the daunting tasks of the pontificate."</p>	<p><i>Page 53</i></p> <p>Another of the late Pope's rules quickly became the subject of furious debate during the early General Congregations. Paul had specifically excluded from the Conclave that would elect his successor all cardinals over the age of eighty. Ottaviani mounted an angry attack on this rule. Supported by the 85-year-old Cardinal Confalonieri and the other over-eighties, they attempted to reverse it. Paul had fought many battles with this group. In death he won the last one. The cardinals voted to adhere to the rules. The General Congregation continued, on one occasion discussing for over an hour whether ballot papers should be folded once or twice.</p>

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p>Pages 21-22</p> <p>FELICI: I have heard that privately he disagrees with the Pope's willingness to negotiate with the communists.</p>	<p>The Inner Elite, p. 188.</p> <p>One point that doesn't excite him [Benelli] is Paul's policy of promoting better relations with the Eastern European regimes</p> <p style="text-align: center;">* * *</p> <p>Three Popes, pp. 34-35.</p> <p>"It could be seen as an international matter, a contribution towards peace and détente . . . in the thinking of Pope Paul and Mgr. Casaroli. But international détente was simultaneous thought of as the best framework within which the lot of Catholics living in communist regimes could be informed."</p> <p style="text-align: center;">* * *</p> <p>Three Popes, p. 65.</p> <p>"In telephone calls from Florence to conservative electors, Benelli stressed Luciani's resolute opposition to communism in Italy."</p>	<p><i>Page 199</i></p> <p>Luciani and Villot are discussing the various changes that Luciani is about to make. Villot reacts to the fact that Senelli a man he has had a difficult relationship with has been chosen by Luciani to replace him as Secretary of State.</p> <p>Villot studied the notes he had made of the proposed changes. Albino Luciani, placing his own handwritten notes to one side, poured out more tea for both of them. Villot said, 'I thought you were considering Casaroli as my replacement?'</p> <p>'I did, for a considerable time. I think much of his work is brilliant but I share Giovanni Benelli's reservations about some of the policy initiatives that have been made in the recent past towards Eastern Europe.'</p> <p>NOTE: Please also see <i>The Last Confession</i> page 25 for further references to this aspect all deriving, it is suggested from the essence of the above.</p>

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p><i>Page 23</i></p> <p>FELICI: Pope John and the Second Vatican Council said they wanted to open the windows of the Church for a dialogue with the world.</p>	<p>“Decline and Fall”, p. 272.</p> <p>“So John [the XXIII] spoke amiably about opening the windows in his church while, actually and unwittingly he was leveling the walls.” The Decline and Fall of The Roman Church.</p>	<p><i>Page 145.</i></p> <p>When Albino Luciani threw open the windows of the Papal Apartments within twenty-four hours of his election, the gesture personified his entire Papacy. Fresh air and sunlight rushed into a Roman Catholic Church which had grown increasingly dark and sombre during the last years of Paul VI.</p>

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p><i>Page 24</i></p> <p>FELICI: Our Hamlet Pope.</p>	<p>“Decline and Fall”, p. 277.</p> <p>“But when he encountered the rule shocks from the new world to which he exposed himself, his initiatives slowed down to a stop; and in panic he fell into an ambiguity and equivocation that nettled his friends and angered his enemies. They called him Hamletic.</p> <p style="text-align: center;">* * *</p> <p>Night, p. 17.</p> <p>“Even the popular John XXIII, his predecessor, had described Montini (later became Paul VI) as ‘a little like Hamlet’.”</p>	<p><i>Page 19.</i></p> <p>Many, including his predecessor John XXIII, have compared Pope Paul VI with the doubt-racked Hamlet. Every Hamlet has need of an Elsinore Castle in which to brood. Eventually, the Pope decided that he and he alone would make the final decision. He summoned Monsignor Agostino Casaroli and advised him that the problem of birth control would be removed from the competence of the Holy Office. Then he retired to Castel Gandolfo to work upon the encyclical.</p>

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p>Pages 25, 29</p> <p>VILLOT: Which brings us to the last item: Benelli. At our last meeting you agreed to consider the idea of a transfer.</p> <p>PAUL: Today we will announce that we have appointed you cardinal and assigned you to Florence. Will you go?</p>	<p>Pontiff, pp. 38-39. (Emphasis added.)</p> <p><u>"Benelli soon raised Villot's hackles. The pair were simply incompatible. Then, with a swiftness which left even hardened curialists dumbfounded, Benelli was gone—raised to the cardinalate and sent off to be archbishop of Florence, not exactly the wilderness but also not a place for a restless, ambitious prince of the Church. Villot led the coup which ousted him. He had found a ready ally in the pope's troubleshooter, Sebastiano, Baggio, and a surprising one in Macchi, who had grown tired of Benelli's abrupt Tuscan manners and high-minded attitudes. The clincher came when Father Romeo Panciroli, who runs a tight-lipped Vatican Press Office, and Bishop Paul Marcinkus, president of the Vatican Bank, supported Villot. Paul had little alternative. Benelli went.</u></p> <p>But nobody now thinks sending him to Florence has ended his ambitions. Vatican scuttlebutt openly predicts there is one certain papal candidate for the next conclave, the cardinal in Florence. And rumor adds that if the archbishop is successful in becoming the two hundred and sixty-first successor to the Throne of St. Peter the Apostle, one of his first actions will be to ensure that Villot, Baggio, Macchi, Panciroli and Marcinkus end their days in some of the Church's loneliest outposts. Unless, of course, they resign."</p> <p style="text-align: center;">* * *</p> <p>Popes 1978, p. 68. (Emphasis added.) See also, "The Final Conclave", p. 100. (Emphasis added)</p> <p><u>"One major thing had happened in the previous year. Giovanni Benelli had been given the ax and sent to Florence as archbishop. However, Benelli was promptly raised to the cardinalate, so the pope could reassure himself that he had not done the same thing to his second-in-command that had been done to him (Paul) when he was Pius XII's second-in-command. (He was shipped off to Milan without the cardinal's hat.) Apparently, the curial officials (this time the Curia of Paul VI) had had it with Benelli's highhanded supervision. Jean Villot and Sebastiano Baggio were among those responsible for sending him off."</u></p>	<p>[Note there then follows several pages where Villot and Baggio urge the Pope to post Benelli out of Rome, which eventually culminates with Pope Paul and Benelli on stage alone and Paul persuading him to leave Rome.]</p> <p>Page 58</p> <p>Giovanni Benelli had been manoeuvred out of Rome in 1977. His continuing efforts to have Marcinkus removed from the Vatican Bank had resulted in a cabal, which included in its members Marcinkus and Paul's secretary Monsignor Macchi, having Benelli removed from the Secretariat of State's office. He had been made a cardinal and been given Florence by way of compensation.</p>

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p><i>Page 27</i></p> <p>PAUL: The newspapers write about us in the past tense. It is strange to read about ourselves as if we were already dead. We have accomplished so little.</p>	<p>Pontiff, p. 30. (Emphasis added.)</p> <p>"The son of a newspaperman, Paul now wonders what journalism has come to. He finds it difficult to accept the finite judgments which are beginning to appear; people are already starting to write and speak as though his long pontificate were over. <u>It is a curious feeling, he has more than once told Marchi and Magee to read of himself in the past tense.</u>"</p> <p style="text-align: center;">* * *</p> <p>Three Popes, p. 4.</p> <p>"But not untypically, Pope Paul launched an idea and then did not pursue it."</p> <p style="text-align: center;">* * *</p> <p>Three Popes, p. 23. (Emphasis added.)</p> <p>"Pope Paul himself in the 1950's had remarked on the danger of a long pontificate: the pope runs out of steam and has exhausted his imaginative capacity; routine sets in; the pontificate becomes a holding action . . . <u>'They treat him as though he were already dead'</u> was the cruel comment of one Vatican official in 1975."</p>	<p><i>Page 51</i></p> <p>Indeed the speculation had begun even before Pope Paul's death. Peter Hebblethwaite, an ex-Jesuit priest converted to Vatican-watching, had asked in the Spectator on July 29th, 'Who is running for Pope?' He picked out three form horses to follow - Pignedoli, Baggio and Pironio. Whether Pope Paul had read Hebblethwaite's comment that he 'cannot be expected to live very much longer' in his last few days, is not known.</p> <p>Despite the pomp and ceremony, the funeral of the Pontiff was a curiously unemotional affair. It was as if his Papacy had ended long ago. After <i>Humanae Vitae</i> there had been no more Papal encyclicals and, apart from his courageous comments when his close friend, the former Prime Minister Aldo Moro, had been first kidnapped then murdered, there had been little from Paul over the past decade to inspire an outpouring of grief at his death: a man to respect, not one to love. There were many long and learned articles analyzing his Papacy in depth but if he is remembered at all by posterity it will be as the man who banned the Pill. It may be a cruel epitaph, an unfair encapsulation of a sometimes brilliant and often tortured mind, but what transpires in the marital bed is of more import to ordinary people than the fact that Paul flew in many aeroplanes, went to many countries, waved at many people and suffered agonies of mind.</p>

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p><i>Page 31</i></p> <p>SUENENS: You should have stayed in Rome after the funeral. You missed all the fun.</p> <p>BENELLI: I accomplished more, Cardinal Suenens, in Florence using the telephone.</p>	<p>Three Popes, pp. 64-65.</p> <p>"Cardinal Benelli left Rome for Florence on the evening of 16 August and stayed there until shortly before the conclave . . . In telephone calls from Florence to consecutive electors, Benelli stressed Luciani's resolute opposition to Communism."</p>	<p><i>Page 58.</i></p> <p>In Florence, Giovanni Benelli, wrongly thought by many observers to be running for the Papacy, received the Latin American specification. He smiled as he considered the qualities the Latin Americans were seeking. It read like an accurate biography of exactly the man Benelli considered should be Pope. Picking up the telephone, he dialed a number outside Florence, and moments later was engaged in animated conversation with the Belgian Cardinal, Suenens.</p>

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p><i>Page 31</i></p> <p>SUENENS: But it couldn't have been nearly as interesting. Every night Pignedoli has a different group of cardinals over to dinner. His thinking may be light weight but his wine cellar is outstanding and he has one of the best chefs in Rome.</p>	<p>Popes 1978, p. 49.</p> <p>"Pignedoli made all the receptions, but his reputation as a lightweight has been growing . . ."</p> <p style="text-align: center;">* * *</p> <p>Three Popes, p. 83.</p> <p>"The curial mistrust of Pignedoli was no secret. He was said to be naïve and light-weight intellectually."</p>	<p><i>Page 54.</i></p> <p>Pignedoli had been a close friend of the late Pope. Some Italian commentators cruelly observed he was the only friend Paul had. Certainly he appeared to be the only one to address him by the intimate 'Don Battista'. In support of Pignedoli Cardinal Rossi of Brazil was at pains to remind the other cardinals of the tradition that Popes indicated who their successor should be and insisted that Pignedoli was 'Paul's best loved son'. Pignedoli was one of the most progressive of the Curial cardinals and hence disliked by most of the other Curial cardinals. He was cultured, well-travelled and, perhaps most important for his candidature, he had influenced either directly or indirectly the appointments of at least 28 of his brother cardinals.</p> <p><i>Page 54</i></p> <p>Attending afternoon tea on August 17th, Pignedoli declared to a gathering of Italian cardinals which went right across the spectrum of right, centre and left, that in spite of all the urgings and promptings he did not feel that he was suited for the Papacy. He suggested to his colleagues that they should vote instead for Cardinal Gantin. It was an imaginative suggestion.</p> <p>Gantin, the black Cardinal of Benin, was 56 years of age. There was therefore very little chance of his election because of his relative youth. The ideal age was felt to be late 60s. Pignedoli was 68. Further, Gantin was black. Racism is not confined to one side of the Tiber.</p> <p>Putting forward Gantin's name could well attract votes for Pignedoli from the Third World whose cardinals held a vital 35 votes.</p> <p><i>Page 58</i></p> <p>In Rome Pignedoli continued to give lavish dinner parties, Curial cardinals continued to lobby discreetly on behalf of Siri and the Vatican Press Office maintained its policy of giving the world's commentators the minimum of co-operation, as the date of what Peter Nichols of The Times called 'The World's Most Secret Ballot' drew nearer.</p>

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p><i>Pages 31, 32</i></p> <p>SUENENS: The London bookmakers have published odds on a number of candidates. Pignedoli is the favorite, so perhaps they don't share your views on his chef. Siri is second, Felici is third – he claims he supports Siri – and you are listed fourth at four to one.</p> <p>BENELLI: And Luciani?</p> <p>SUENENS: Who?</p> <p>BENELLI: Luciani – Patriarch of Venice.</p> <p>SUENENS: Not listed, of course.</p>	<p>The play states that the odds on Suenens are 33 to 1. <i>The Last Confession</i> p. 32. This is not in <i>In God's Name</i>. Crane obtained the odds from:</p> <p>Pontiff, p. 129</p> <p>"Ladbroke's, the London bookmakers, tried to make it easier to spot the winner by opening a book on who would be the next pope. A Roman Catholic member of Parliament complained the Church was 'electing a successor to Jesus Christ and that is not a matter for Ladbroke's.' In reply the bookmakers claimed to have 'a lot of clergymen laying bets.' The current odds placed Pignedoli, at 5-2, favorite; Baggio and Poletti, 7-2; Benelli, 4-1; Willebrands, 8-1; Pironio, 12-1; König, 16-1; Hume, 25-1; Cordeiro, Lorscheider and Suenens, 33-1."</p> <p style="text-align: center;">* * *</p> <p>Popes 1978, p. 106</p> <p>"The London bookies are giving odds on the election, with Sergio Pignidoli as a front-runner."</p> <p style="text-align: center;">* * *</p> <p>Three Popes, p. 54.</p> <p>"Two names that were difficult to place on the spectrum and which rarely appeared in lists of papabili were those of Cardinal Albino Luciani; Patriarch of Venice and Cardinal Karol Wojtyla . . .</p>	<p><i>Page 51.</i></p> <p>Within twenty-four hours of Paul's death, with his body unburied and his Papacy unevaluated, Ladbrokes, the London bookmakers, had opened a book on the Papal election. The Catholic Herald, while carrying a front-page article criticizing the action, took care to let its readers know the current odds.</p> <p>Cardinal Pignedoli was favourite at 5-2. Cardinals Baggio and Poletti were joint second favourites at 7-2, followed by Cardinal Benelli at 4-1. Also strongly fancied was Cardinal Willebrands at 8-1. Cardinal Koenig was quoted at 16-1. England's Cardinal Hume was 25-1. These surprisingly long odds on the Englishman could perhaps be attributed to a statement Hume had made to the effect that he did not have the qualities for the job. Longest odds were quoted for Cardinal Suenens. Albino Luciani did not appear in the list of Papal runners.</p>

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IN GOD'S NAME, AND PUBLIC DOMAIN SOURCES FOR FACTS CONTAINED IN BOTH WORKS**

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<p><i>Page 32</i></p> <p>SUENENS: And then there is CREEP...</p> <p>BENELLI: What is creep?</p> <p>SUENENS: Committee for the Responsible Election of the Pope.</p> <p>BENELLI: I assume it doesn't include any cardinals.</p> <p>SUENENS: Correct... Listen to their criteria. (SUENENS takes out a piece of paper and reads from it.) 'Help wanted. A hopeful, holy man who can smile.' (Looking up.) That's the heading. (Continuing his reading.) 'Interesting work, guaranteed income, residence comes with position. Protection by proven security organization. Apply College of Cardinals, Vatican City.' It goes on: (Back to paper.) 'A Pope not for all Catholics but for all peoples. A man totally free from the slightest taint of financial wheeling and dealing.'</p>	<p>Three Popes, p. 48-49, see also p. 50. See also Pontiff, pp. 118-119.</p> <p>Nothing daunted, CREP organized a press conference . . . to introduce Fr. Andrew Greeley . . ." [Greeley said on behalf of CREP] "The papacy requires a man of holiness, a man of hope, a man of joy. A sociologically oriented job description of the pope, in other words, must conclude the Catholic Church needs as its leader a man who can smile!"</p> <p style="text-align: center;">* * *</p> <p>Three Popes, p. 65.</p> <p>"The Latin American cardinals . . . were said to have written a letter to their fellow cardinals urging an open minded candidates who would continue the work of Vatican II and appreciates the problems of the third word."</p>	<p><i>Pages 58/59.</i></p> <p>The Latin American cardinals were not the only group to formulate a document that amounted to a job description. A week earlier, a group of Catholics calling themselves CREP (Committee for the Responsible Election of the Pope) held a Press conference in the Columbus Hotel, Rome. The brave man chosen to field questions from over 400 reporters was Father Andrew Greeley. Not himself a member of CREP, Greeley and a group of theologians had drawn up the job description on behalf of the Committee.</p> <p>There were to be many critics of the document. Much of the criticism was banal, much was dismissive. Undoubtedly the signatories appeared to be looking for an extraordinary man. It is equally without doubt that the document showed a deep love for the Roman Catholic Church. These men cared desperately about the nature and quality of the new Papacy. To dismiss men of the quality of Hans Kung, Yves Congar and Edward Schillebeeck requires a mentality bordering on spiritual sterility.</p> <p>Professor Kung, for example, is in the view of many who are qualified to judge, the most brilliant Catholic theologian alive today. All the signatories of the press release have impressive records.</p> <p>HELP WANTED</p> <p>A hopeful, holy man who can smile.</p> <p>Interesting work, guaranteed income, residence comes with position. Protection by proven security organization. Apply College of Cardinals, Vatican City.</p> <p>Thus began the job description. It went on to describe the man they would like chosen by the secret Conclave. It did not matter, they stated, if he was Curial or non-Curial; Italian or non-Italian; whether he was of the First, Second or Third World. It did not matter if he was an intellectual or non-intellectual, whether he was a diplomat or pastor, progressive or moderate, an efficient administrator or lacking in administrative experience . . . What was needed, the theologians said, at this present critical time in history was 'a man of holiness, a man of hope, a man of joy. A holy man who can smile. A Pope not for all Catholics but for all peoples. A man totally free from the slightest taint of financial organizational wheeling and dealing. It went on to list other vital essentials. Reading the qualifications needed and comparing it with the list of leading candidates, the overriding impression is one of deep, urgent need bordering on desperation.</p>